

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re: Equifax, Inc. Customer
Data Security Breach Litigation

MDL Docket No. 2800
No. 1:17-md-2800-TWT

This document relates to:

FINANCIAL INSTITUTIONS TRACK

JOINT MOTION TO SET DEADLINES

Defendants Equifax Inc. and Equifax Information Services LLC (collectively, “Defendants”) and the Financial Institution Plaintiffs¹ (collectively, with Defendants, the “Parties”) respectfully submit this Joint Motion to Set Deadlines in order to: (1) set a briefing schedule and page limits for the Financial Institution Plaintiffs’ forthcoming Motion for Leave to Amend the Financial Institutions Complaint; and (2) to extend Defendants’ deadline to Answer the Financial Institutions Complaint until after the Court’s ruling on that Motion for Leave to Amend. In support of this Motion, the Parties state:

1. On May 30, 2018, the Financial Institution Plaintiffs filed the

¹ The named Financial Institution Plaintiffs are set forth in Paragraphs 12-84 of the Financial Institutions Consolidated Amended Complaint (the “Financial Institutions Complaint”). [Dkt. 390.]

Financial Institutions Complaint. [Dkt. 390.]

2. On January 28, 2019, the Court granted in part and denied in part Defendants' Motion to Dismiss the Financial Institutions Complaint (the "Motion to Dismiss Order"). [Dkt. 539.]

3. The Financial Institution Plaintiffs intend to file a Motion for Leave to Amend the Financial Institutions Complaint to include new allegations intended to cure the deficiencies identified in the Motion to Dismiss Order.

4. Defendants dispute that any new factual allegations can cure the deficiencies identified in the Motion to Dismiss Order and intend to oppose the Financial Institution Plaintiffs Motion for Leave to Amend.

5. However, the Parties agree that, in order to efficiently address Plaintiffs' Motion for Leave to Amend, it is appropriate for the Court to enter an order: (1) setting a briefing schedule and page limits for briefing on the Financial Institution Plaintiffs forthcoming Motion for Leave to Amend; and (2) extending Defendants' obligation to Answer the Financial Institutions Complaint until there is certainty as to the operative complaint (*i.e.*, until after a ruling on the Financial Institution Plaintiffs forthcoming Motion for Leave to Amend).²

² Under Federal Rule of Civil Procedure 12(a)(4)(A), the current deadline for Defendants to Answer the Financial Institutions Complaint is February 11, 2019.

6. The Parties therefore jointly move the Court to enter the following schedule:

Proposed Filing	Page Limit for Briefing	Deadline
Plaintiffs' Motion for Leave to Amend and Proposed Amended Complaint	40 Pages	March 20, 2019
Defendants' Response to Motion for Leave to Amend	40 Pages	April 22, 2019
Plaintiffs' Reply in Support of Motion for Leave to Amend	20 Pages	May 22, 2019
Defendants' Answer to the Operative Financial Institutions Complaint	N/A	Thirty (30) Days After the Court's Ruling on Plaintiffs' Motion for Leave to Amend

7. The Parties agree that that the instant Motion and the relief requested herein does not alter or impact the discovery-related deadlines set forth in Scheduling Order [Dkt. 260] or the recently filed Amended Joint Preliminary Report and Discovery Plan, filed on February 6, 2019 [Dkt. 543].

WHEREFORE, the Parties respectfully request that the Court: (1) set a briefing schedule and page limits for briefing on the Financial Institution Plaintiffs'

forthcoming Motion for Leave to Amend the Financial Institutions Complaint; and
(2) extend Defendants' deadline to Answer the Financial Institutions Complaint
until 30 days after a ruling on the Motion for Leave to Amend. A proposed order
is attached for the Court's consideration.

Respectfully submitted this 7th day of February, 2019.

/s/ S. Stewart Haskins III
KING & SPALDING LLP
David L. Balser
Georgia Bar No. 035835
Phyllis B. Sumner
Georgia Bar No. 692165
S. Stewart Haskins II
Georgia Bar No. 336104
Elizabeth D. Adler
Georgia Bar No. 558185
John C. Toro
Georgia Bar No. 175145
1180 Peachtree Street, N.E.
Atlanta, Georgia 30309
Tel.: (404) 572-4600
Fax: (404) 572-5140
dbalser@kslaw.com
psumner@kslaw.com
shaskins@kslaw.com
eadler@kslaw.com
jtoro@kslaw.com

Counsel for Defendants

/s/ Joseph P. Guglielmo
(with permission)

Joseph P. Guglielmo
SCOTT+SCOTT
ATTORNEYS AT LAW LLP
230 Park Avenue
17th Floor
New York, NY 10169
Tel: 212-223-6444
Fax: 212-223-6334
jguglielmo@scott-scott.com

Gary F. Lynch
CARLSON LYNCH SWEET
KILPELA & CARPENTER, LLP
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222
Tel: 412-322-9243
Fax: 412-231-0246
glynch@carsonlynch.com

*Co-Lead Counsel for the Financial
Institution Plaintiffs*

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1D, the undersigned certifies that the foregoing complies with the font and point selections permitted by Local Rule 5.1B. This brief was prepared on a computer using the Times New Roman font (14 point).

DATED: February 7, 2019

/s/ S. Stewart Haskins III
KING & SPALDING LLP

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ S. Stewart Haskins III
KING & SPALDING LLP